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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,356	03/09/2004	David J. Ollila	1269-009	2273

25215 7590 02/22/2008
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EXAMINER

HENDERSON, ADAM

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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02/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

AK

Office Action Summary

Application No.

10/796,356

Applicant(s)

OLLILA, DAVID J.

Examiner

Adam L. Henderson

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23,25-41,43-47 and 50-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23,25-41,43-47 and 50-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 2 November 2007 have been fully considered but they are not persuasive. Applicant contends that Winningstad (US Patent 5,886,739) fails to disclose a single harness that has all required connections. However, Examiner believes there is no reason why the cable 25 and the cable shown connecting units 28 and 26 should not be construed as the single wiring harness of the assembly. Nothing within the claims requires that wiring harness be made of a single cable. In fact in claim 1 applicant makes it clear the wiring harness comprises multiple cables just as Winningstad has multiple cables.

2. Applicant is advised that the failure to traverse the Official Notice rejection of claims 4, 6, 11, 21, 32, 40, 44, and 50 in view of what is Old and Well Known in the Art is viewed to be an admission that the rejected material is in fact Old and Well Known. See MPEP 2144.03 section C. Accordingly, the limitations of 'coupling devices via disengageable connections and the need to limit the number of disengageable connections', 'limiting cable lengths to be appropriate to the application', and the 'use of extension cables' are now viewed as admitted prior art.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 7, 8, 10, 13-16, 18, 19, 23, 25-30, 33-39, 41, 43, 46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Winningstad (US Patent 5,886,739).

3. With regard to claim 1 Winningstad discloses an audio-video recording (column 3 line 44 – column 7 line 10) apparatus comprising:

a power-supply apparatus providing a source of power (power supply 28, FIG. 1) [by its very definition a power supply provides a source of power];

a camera (video sensor 24, FIG. 1);

a microphone (audio sensor 20, FIG. 1);

a recording device capable of capturing video images from the camera and audio streams from the microphone (recorder unit 26, FIG. 1); and

a wiring harness including the following interconnected cords:

a power cord coupled with the recording device and directly to the power-supply apparatus (see dotted cable connecting power supply 28 to recorder 26, FIG. 1); and

a recording cord coupled with the recording device; and

a camera cord (cable 25, FIG. 1) [the camera and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio and image data from the camera/microphone to the recording unit], wherein the camera cord is coupled with the following:

the microphone such that the camera cord can transmit audio from the microphone (FIG. 1);

the camera such that the camera cord can transmit images from the camera (FIG. 1);

the recording cord such that the camera cord can transmit images from the camera and audio from the microphone to the recording device (FIG. 1); and

the power cord such that the camera cord can transmit power from the power-supply apparatus to the microphone and camera (FIG. 1) [the power is first distributed via cable connecting units 26 and 28 to the recording unit, then the power is distributed to the camera and microphone via cable 25].

4. With regard to claim 3 Winningstad discloses the audio-video recording apparatus of claim 1, wherein the power cord includes a power connector through which the power cord is coupled with the power supply apparatus [there must inherently be some type of connector to connect the power cord to the power supply or the cable would not be connected], and wherein the power supply apparatus comprises one or more portable batteries as a power source (column 3 line 65 – column 4 line 12).

5. With regard to claim 7 Winningstad discloses the audio-video recording apparatus of claim 1, wherein the power supply apparatus is a battery holder having one or more compartments into which one or more batteries can be inserted and in which electrical contacts positioned to contact an anode and cathode of the battery (column 3 line 65 – column 4 line 12).

6. With regard to claim 8 Winningstad discloses the audio-video recording apparatus of claim 1, wherein the microphone is integrated into the camera cord [since the microphone is not disclosed as being detachable from the cable, then it is assumed to be integrated within the cable].

7. With regard to claim 10 Winningstad discloses a wiring harness for coupling a camera with a power supply and a recording device, the wiring harness comprising:

a power cord having a connector through which the power cord can be coupled with a power supply, the power supply providing a source of power (see dotted cable connecting power supply 28 to recorder 26, FIG. 1) [by its very definition a power supply provides a source of power];

a recording cord having a connector through which the recording cord can be coupled with a recording device;

a camera cord having a connector through which the camera cord can be coupled with a camera (cable 25, FIG. 1) [the camera and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio and image data from the camera/microphone to the recording unit], wherein the camera cord is coupled with the power cord so as to enable the camera to receive power from the power supply and with the recording cord so as to enable data to be transmitted from the camera to the recording device (column 4 line 66 – column 5 line 10) [if the cable 25 is able to transmit power from the power supply as noted, it must inherently be coupled to the power cord via some method]; and

a microphone integrated into the camera cord [since the microphone is not disclosed as being detachable from the cable, then it is assumed to be integrated within the cable].

8. With regard to claim 13 Winningstad discloses the wiring harness of claim 10, wherein the connectors in the power cord, recording cord, and camera cord are the only connectors in the wiring harness [there are only connections with the power cord and camera/recording cord, no other connections are shown].

9. With regard to claim 14 Winningstad discloses a method for capturing and recording video and audio streams using a portable apparatus, the method comprising:

mounting a power supply (power supply 28, FIG. 1), a camera (video sensor 24, FIG. 1), and a recording device (recorder unit 26, FIG. 1) including a data storage medium to a user or to equipment operated by the user (FIG. 1), wherein the power supply, camera and recording device are electrically coupled via a wiring harness comprising:

a power cord coupled with the power supply, the power supply providing a source of power (see dotted cable connecting power supply 28 to recorder 26, FIG. 1) [by its very definition a power supply provides a source of power];

a recording cord coupled with the recording device; and

a camera cord coupled with the camera (cable 25, FIG. 1) [the camera and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio and image data from the camera/microphone to the recording unit], with the power cord and with the recording cord (column 4 line 66 – column 5 line 10) [if the cable 25 is able to transmit power from the power supply as noted, it must inherently be coupled to the power cord via some method, further since the recording cord and the camera cord are viewed to be the same cord they are inherently coupled], wherein a microphone is integrated into the camera cord [since the microphone is not disclosed as being detachable from the cable, then it is assumed to be integrated within the cable]; powering the camera and microphone with the power supply to generate video images and an audio stream that are transmitted to the recording device; and

recording the video images and audio stream on the data storage medium in the recording device (column 3 line 44 – column 7 line 10).

10. With regard to claim 15 Winningstad discloses the method of claim 14, wherein the camera is mounted to the user, to an article of apparel worn by the user, or to a piece of equipment worn by the user (FIG. 1).

11. With regard to claim 16 Winningstad discloses the method of claim 15, wherein the camera is mounted to a helmet (column 4 lines 51-53).

12. With regard to claim 18 Winningstad discloses the method claim 14, wherein the recording devices is mounted to the user, to an article of apparel worn by the user, or to a piece of equipment worn by the user (FIG. 1).

13. With regard to claim 19 Winningstad discloses the method of claim 14, wherein the power supply is mounted to the user, to an article of apparel worn by the user, or to a piece of equipment worn by the user (FIG. 1).

14. With regard to claim 23 Winningstad discloses a video apparatus comprising:

a camera (video sensor 24, FIG. 1) for capturing an image and for providing a video signal; and

a wiring harness having:

at least one cable (cable 25, FIG. 1) for interconnection with the camera or a preselected device, the at least one cable capable of transmitting the video signal, an audio signal, or power (column 4 line 66 – column 5 line 10),

wherein the at least one cable forms a wiring harness comprising:

a camera cable for interconnection with the camera, the camera cable capable of transmitting the video signal, the audio signal, or the power;

a recording cable for interconnection with a recording device, the recording cable capable of transmitting the video signal, the audio signal, or the power (cable 25, FIG. 1) [the camera cable and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio, image, or power signals between the camera/microphone and the recording unit]; or

a power cable for interconnection with a power supply and a camera cord, the power supply providing a source of power and the power cable capable of transmitting the power (see dotted cable connecting power supply 28 to recorder 26, FIG. 1) [a further clarification, Applicant's use of the term 'or' between the second and third listed cables that may make up the wiring harness is interpreted as being in the alternative and therefore only one of the three listed cables need be presented by the Examiner in order to meet the current claim limitations as presented].

15. With regard to claim 25 Winningstad discloses the apparatus of claim 23, further comprising a connector for interconnecting at least two of the camera cable, the recording cable, and the power cable (column 4 line 66 – column 5 line 10) [if the cable 25 is able to transmit power from the power supply as noted, it must inherently be coupled to the power cord via some method].

16. With regard to claim 26 Winningstad discloses the apparatus of claim 23, further comprising a first connection for joining the camera with the camera cable [if the camera is

joined to the camera cable, as is shown in FIG. 1, then there must be some type of connector present].

17. With regard to claim 27 Winningstad discloses the apparatus of claim 23, wherein the preselected device further comprises:

a recording device (recorder unit 26, FIG. 1) coupled with the recording cable, the recording device capable of receiving from the recording cable the audio signal or the video signal; or

a power supply (power supply 28, FIG. 1) coupled with the power cable, the power supply cable capable of providing the power to the power cable.

18. With regard to claim 28 Winningstad discloses the apparatus of claim 27, further comprising a second connection for joining the recording device with the recording cable [if the recording device is joined to the recording cable, as is shown in FIG. 1, then there must be some type of connector present].

19. With regard to claim 29 Winningstad discloses the apparatus of claim 27, further comprising a third connection for joining the power supply with the power cable [if the power supply is joined to the power cable, as is shown in FIG. 1, then there must be some type of connector present].

20. With regard to claim 30 Winningstad discloses the apparatus of claim 23, further comprising a microphone (audio sensor 20, FIG. 1) in communication with the camera cable, the microphone capable of capturing sound and providing the audio signal to the camera cable (column 3 lines 54-64).

21. With regard to claim 33 Winningstad discloses the apparatus of claim 23, further comprising a camera mount for mounting the camera to a predetermined object or user [since the camera is mounted on the user's hat or clothing there must be some type of mount, otherwise the camera would not be fixed to the user and would fall off].

22. With regard to claim 34 Winningstad discloses the apparatus of claim 24, wherein the recording cable further comprises a first recording cable having a video connector for interconnection with the recording device and a second recording cable having an audio connector for interconnection with the recording device [FIG. 1 shows the cable 25 splitting into two cable, one a cable for interconnection with the video sensor and the other for interconnection with the microphone].

23. With regard to claim 35 Winningstad discloses the apparatus of claim 23, further comprising a camera connector in communication with the camera and a camera cable connector in communication with the camera cable, the camera connector and camera cable connector for receiving and transmitting the video signal, the audio signal, or the power [there must be some connector between the camera and the camera connector otherwise the tow would not be connected and thus would be unable to communicate].

24. With regard to calm 36 Winningstad discloses the apparatus of claim 27, wherein the power supply further comprises a battery holder having a compartment for holding a battery or a battery for disposal therein (column 3 line 65 – column 4 line 12).

25. With regard to claim 37 Winningstad discloses an audio-video apparatus comprising:
a camera for capturing an image and providing a video signal (video sensor 24, FIG. 1);

a recording device for recording the video signal or an audio signal (recorder unit 26, FIG. 1);

a power supply for providing power (power supply 28, FIG. 1); and

a wiring harness having:

a camera cable for interconnection with the camera, the camera cable having a microphone in communication therewith (audio sensor 20, FIG. 1), the microphone for capturing sound and providing an audio signal, the camera cable capable of receiving and transmitting the video signal or the audio signal;

a recording cable for interconnection with the recording device, the recording cable capable of receiving and transmitting the video signal or the audio signal (cable 25, FIG. 1) [the camera and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio and image data from the camera/microphone to the recording unit];

a power cable for interconnection with the power supply and the camera cable, the power cable capable of receiving and transmitting power (see dotted cable connecting power supply 28 to recorder 26, FIG. 1) [the power cable must necessarily be interconnected in some form with the camera cable, the power supply provides power for the camera and therefore if the two are not directly connected there must be some interconnection within the common junction of the recorder 26]; and

a connector for operably interconnecting the camera cable, the recording cable or the power cable with a preselected device or a camera [the camera is connected to cable 25, as shown in FIG. 1, thus there must be some connector].

26. With regard to claim 38 Winningstad discloses the apparatus of claim 37, wherein the connector further comprises:

a first connection for joining the camera with the camera cable [if the camera is joined to the camera cable, as is shown in FIG. 1, then there must be some type of connector present];

a second connection for joining the recording device with the recording cable [if the recording device is joined to the recording cable, as is shown in FIG. 1, then there must be some type of connector present]; or

a third connection for joining the power supply with the power cable [if the power supply is joined to the power cable, as is shown in FIG. 1, then there must be some type of connector present].

27. With regard to claim 39 Winningstad discloses the apparatus of claim 37, further comprising:

a camera mount for mounting the camera to a predetermined object or a user [since the camera is mounted on the user's hat or clothing there must be some type of mount, otherwise the camera would not be fixed to the user and would fall off];

an extension cable for interconnection with the wiring harness; or ["or" is alternative, thus only one of these three options need be met]

a remote control for communicating a signal to the recording device to control recording of the video signal or the audio signal.

28. With regard to claim 41 Winningstad discloses a wiring harness for use with a communication apparatus, the wiring harness comprising:

at least one cable (cable 25, FIG. 1) for interconnection with a camera (video sensor 24, FIG. 1) or a preselected device, the cable capable of transmitting at least one of a video signal, an audio signal, or power (column 4 line 66 – column 5 line 10),

wherein the cable further comprises:

a camera cable for interconnection with the camera, the camera cable capable of transmitting the video signal, the audio signal, or the power;

a recording cable for interconnection with a recording device, the recording cable capable of transmitting the video signal, the audio signal, or the power (cable 25, FIG. 1) [the camera and recording cord are viewed to be essentially the same cord since they are both claimed to be intended for transmitting audio and image data from the camera/microphone to the recording unit]; and

a power cable for interconnection with a power supply and the camera cord [the power cable must necessarily be interconnected in some form with the camera cable, the power supply provides power for the camera and therefore if the two are not directly connected there must be some interconnection within the common junction of the recorder 26], the power supply providing a source of power and the power cable capable of transmitting the power from the supply (see dotted cable connecting power supply 28 to recorder 26, FIG. 1).

29. With regard to claim 43 Winningstad discloses the wiring harness of claim 41, further comprising a microphone (audio sensor 20, FIG. 1) in communication with the at least one cable, the microphone capable of capturing sound and providing the audio signal to the camera cable (column 3 lines 54-64).

30. With regard to claim 46 Winningstad discloses the wiring harness of claim 41, further comprising no more than three connectors for forming at least one interconnection associated with the at least one cable [cable 25 is only connected to the audio sensor 20, the video sensor 24, and the recorder unit 26, thus three connections].

31. With regard to claim 47 Winningstad discloses a method for capturing and recording communication signals using a portable apparatus, the method comprising steps of:

mounting a camera to a predetermined object or user (video sensor 24, FIG. 1);

receiving, by a wiring harness having at least one cable (cable 25, FIG. 1) for interconnection with the camera or a preselected device, the preselected device further comprises a recording device (recorder unit 26, FIG. 1), a power supply (power supply 28, FIG. 1), or a microphone (audio sensor 20, FIG. 1), a signal;

providing the signal to the camera or the preselected device (column 3 line 44 – column 7 line 10),

providing a source of power from the power supply to the camera or the recording device via the wiring harness, the wiring harness being connected to the source of power (column 3 line 65 – column 4 line 12, column 4 line 66 – column 5 line 10);

providing the audio signal via the microphone or the video signal via the camera (column 3 lines 54-64); and

receiving and transmitting the audio signal or the video signal via the wiring harness (column 3 lines 54-64); or

receiving and recording the audio signal or the video signal via the recording device
(column 3 lines 54-64).

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 2, 12, 20, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winningstad (US Patent 5,886,739) in view of Satoh et al. (US Patent 5,717,496).

34. With regard to claim 2 Winningstad discloses the audio-video recording apparatus of claim 1, but fails to disclose wherein the camera includes a mini-din connector through which power from the power-supply apparatus is delivered and through which video images are transmitted from the camera, and wherein the camera cord includes a reciprocal mini-din connector, the mini-din connectors providing the coupling between the camera and the camera cord.

Satoh et al. discloses wherein a cable attaches to a camera via a mini-din connection (column 21 line 66 – column 22 line 11 and column 25 line 54 – column 26 line 7).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the audio-video recording apparatus of Winningstad to include the mini-din connection taught by Satoh et al. in order to “provide an apparatus, which permits

communication of information with a plurality of different external units,” (column 25 line 54-62). This would be beneficial in that it would allow the units to be interchangeable with other similar units that might have different characteristics and better suited to different specific applications.

35. Claims 12, 20, and 45 are rejected under similar analysis as claim 2.

36. Claims 4, 6, 11, 21, 32, 40, 44, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winningstad (US Patent 5,886,739).

37. With regard to claim 4 Winningstad discloses the audio-video recording apparatus of claim 1, but fails to disclose wherein the power-supply apparatus, the camera, the microphone and the recording device are all operationally coupled through the wiring harness by no more than three disengageable connections, one joining the recording device with the recording cord, a second joining the power-supply apparatus with the power cord, and a third joining the camera with the camera cord.

Examiner takes Official Notice that it is Old and Well Known in the art to couple devices via disengageable connections and the need to limit the number of disengageable connections.

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the audio-video recording apparatus of Winningstad to include the Old and Well Known disengageable connections in order to simplify the process of wearing the equipment. If all the components were permanently attached it would be harder to put on since the cables might get in the way. Further it would be obvious to include the limited (three) number of disengageable connections in order to limit the likelihood of mishaps resulting from cables

disconnecting when not desired and in order to simplify the connecting the assembly together since excessive numbers of loose cables could be confusing.

38. With regard to claim 6 Winningstad discloses the audio-video recording apparatus of claim 1, but fails to disclose wherein the power cord, camera, cord and recording cord all have lengths of not more than about 1.5 meters.

Examiner takes Official Notice that it is Old and Well Known to limit cable lengths to be appropriate to the application.

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the audio-video recording apparatus of Winningstad to include the cable length limit of 1.5m. This would be obvious in order to prevent excess cable length from getting in the way of the movement of the operator. A length less than 1.5 would be obvious because the unit is intended to be worn on a person's torso and the torso of a person is not more than 1.5m.

39. With regard to claim 32 Winningstad discloses the apparatus of claim 23, but fails to disclose further comprising an extension cable interconnected with the at least one cable.

Examiner takes Official Notice that it is Old and Well Known to use extension cables.

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the apparatus of Winningstad to include the Old and Well Known extension cable in order to provide increased cable length for instances where the standard cable length would not be long enough. This would be beneficial for people who are larger than the assumed average size, providing them with ample room to move freely with the cables not constricting them.

40. Claims 11, 40, and 44 are rejected under the same analysis as claim 6.

41. Claims 21 and 50 are rejected under the same analysis as claim 4.

42. Claims 5, 9, 22, 31, and 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winningstad (US Patent 5,886,739) in view of Strub et al. (US Patent 6,934,461).

43. With regard to claim 5 Winningstad discloses the audio-video recording apparatus of claim 1, but fails to disclose further comprising a remote control apparatus including a controller and a cord joining the controller with a recording device such that instructions can be received by the controller and communicated to the recording device to control recording of the video images from the camera and the audio stream from the microphone.

Strub et al. disclose a remote control apparatus including a controller (control interface device 855, FIG. 8A) and a cord (FIG. 8A and 8B) joining the controller with a recording device such that instructions can be received by the controller and communicated to the recording device to control recording of the video images from the camera and the audio stream from the microphone (column 76 lines 31-40).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the audio-video recording apparatus of Winningstad to include the control interface device of Strub et al. in order to provide an easily accessible control device which would allow the system to be easily manipulated to operate how the user wishes.

44. With regard to claim 9 Winningstad discloses the audio-video recording apparatus of claim 1, but fails to disclose wherein the recording cord includes a plurality of cables that are coupled with a plurality of inputs on the recording device.

Strub et al. disclose the recording cord includes a plurality of cables that are coupled with a plurality of inputs on the recording device (FIG. 8A and 8B) [the cables from the audio data

acquisition devices 854A and B and the visual data acquisition device 853 constitute a plurality of cables and they are all connected to the housing 852 which houses the data storage and system control (column 74 line 59 – column 77 line 23).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the audio-video recording apparatus of Winningstad to include the plurality of cables as taught by Strub et al. in order to provide flexibility in the placement of the audio and video sensors. If the sensors were all tied to a single cable they would be required to be placed within close proximity. Placing them on separate cables allows for a wider range of attachment places since they may be separated from each other.

45. Claims 22 and 31 are rejected under the same analysis as claim 5.

46. With regard to claim 51 Winningstad discloses the apparatus of claim 1, but fails to disclose wherein the wiring harness includes the microphone, the microphone being located between at two of the camera, the power-supply apparatus, and the recording unit.

Strub et al. disclose wherein the wiring harness includes the microphone (audio data acquisition device 954, FIG. 9A), the microphone being located between at two of the camera (visual data acquisition device 953, FIG. 9A), the power-supply apparatus, and the recording unit (electronics are located in pocket 957, FIG. 9A, column 78 lines 14-24, full disclosure of this embodiment at column 77 line 24 – column 78 line 24).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the apparatus of Winningstad to include the shoulder mounted microphone (which happens to be between the camera and rest of the electronics in both Strub et al. and

Winningstad) of Strub et al. in order to record the audio that the user would likely hear themselves (Strub et al. column 26 line 59 – column 27 line 18).

47. Claims 52-54 are rejected under the same analysis as claim 51.

48. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winningstad (US Patent 5,886,739) in view of Jones (US Patent 6,292,213).

49. With regard to claim 17 Winningstad discloses the method claim 14, but fails to disclose wherein the camera is mounted to a vehicle operated by the user.

Jones discloses the camera is mounted to a vehicle operated by the user (FIG. 2, column 7 lines 10-58) [Jones discloses that the camera may be mounted on the user, as per Winningstad, however the user may also desire the camera to be mounted on their kayak, hang-glider, etc]. It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the method of Winningstad to include the vehicle mount as taught by Jones in order to provide the ability to mount the camera in differing locations in order to change the perspective of the camera during the activity (Jones, column 7 lines 54-57).

Conclusion

50. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Henderson whose telephone number is 571-272-8619. The examiner can normally be reached on Monday-Friday, 7am to 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


NGOC-YEN VU
SUPERVISORY PATENT EXAMINER